

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SASA MASLIC, et al.,
Plaintiffs,

v.

ISM VUZEM D.O.O., et al.,
Defendants.

Case No. 21-cv-02556-BLF

**ORDER VACATING HEARING ON
MOTION TO WITHDRAW AS
COUNSEL OF RECORD FOR
DEFENDANT EISENMANN
CORPORATION; AND GRANTING
MOTION**

[Re: ECF 101]

The law firms Frost Brown Todd LLC and Boies Schiller Flexner LLP move to withdraw as counsel of record for Defendant Eisenmann Corporation. *See* Mot., ECF 101. The basis for the motion is Eisenmann Corporation's lack of funds to pay for legal representation in this case. The Court finds the motion suitable for decision without oral argument and for that reason the hearing set for April 11, 2024 is VACATED.


Under this district's local rules, counsel may withdraw from representation if the client and all other parties have been given written notice and reasonable time to respond, and the Court grants leave to withdraw. *See* Civ. L.R. 11-5(a). Counsel provided notice of this motion to Eisenmann Corporation and the other appearing parties, Plaintiffs and Defendant Tesla, Inc., on October 16, 2023. *See* Bernay Decl. ¶ 9, ECF 101-2. Eisenmann Corporation and Plaintiff Sasa Maslic do not oppose the motion. *See id.* ¶¶ 9-10. No opposition has been filed. Given Eisenmann Corporation's inability to pay its counsel, *see* Bernay Decl. ¶ 7, the Court finds good cause to grant the motion.

The Court has discretion to condition withdrawal of representation on counsel agreeing to continue receiving papers for the client. *See* Civ. L.R. 11-5(b). Frost Brown Todd LLC and Boies Schiller Flexner LLP have agreed to continue receiving papers for Eisenmann Corporation until substitute counsel appears.

Accordingly, IT IS HEREBY ORDERED that:

- (1) The motion to withdraw as counsel of record for Eisenmann Corporation is GRANTED and the April 11, 2024 hearing date is VACATED.
- (2) Aaron M. Bernay, Esq. and Maxwell Pritt, Esq., and their law firms Frost Brown Todd LLC and Boies Schiller Flexner LLP, are RELIEVED as counsel of record for Eisenmann Corporation.
- (3) Frost Brown Todd LLC and Boies Schiller Flexner LLP SHALL continue to receive papers for Eisenmann Corporation until substitute counsel appears.
- (4) Frost Brown Todd LLC and Boies Schiller Flexner LLP SHALL provide a copy of this order to Eisenmann Corporation.
- (5) Eisenmann Corporation SHALL obtain substitute counsel within 30 days (by January 3, 2024). If substitute counsel does not appear by that date, the Court will issue an Order to Show Cause why Eisenmann Corporation's answer should not be stricken and default entered against it.
- (6) This order terminates ECF 101.

Dated: December 4, 2023


BETH LABSON FREEMAN
United States District Judge